

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: 31 TOZER ROAD, LLC,

Debtor.

31 TOZER ROAD, LLC and
MANUEL BARROS

Appellants,

v.

MARK GREENBERG and MICHAEL
LAPIERRE,

Appellees.

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Civil Action No. 17-cv-10013-IT

ORDER

June 21, 2017

TALWANI, D.J.

Appellants 31 Tozer Road, LLC, and Manuel Barros filed their opening Brief [#8] on March 9, 2017. On March 22, 2017, Appellees Mark Greenberg and Michael LaPierre filed a Motion to Strike Portions of Appellants' Brief [#12], in which they argue that multiple arguments contained in Appellants' Brief were not raised in the Bankruptcy Court proceedings and thus not preserved for this court's review. Appellants have filed an opposition to the motion, and that motion is now under advisement.

In order to avoid undue delay of this appeal, no later than July 10, 2017, Appellees may file a response, not to exceed 7,000 words, to any argument raised in Appellants' Brief [#8] that is not the subject of Appellees' Motion to Strike. No later than July 24, 2017, Appellants may

file a reply to Appellees' response, not to exceed 3,500 words. If the motion to strike is denied in whole or in part, the parties will be afforded an opportunity to file a further response and reply.

IT IS SO ORDERED.

Date: June 21, 2017

/s/ Indira Talwani
United States District Judge